



AGENDA
CITY COMMISSION WORKSHOP
COMMISSION CHAMBERS, CITY HALL
TUESDAY, MARCH 29, 2016 5:30 PM

1. CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

2. PRESENTATION BY STAFF

A. Design and Architectural Standards

3. DISCUSSION

4. ADJOURN:

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES DEPARTMENT, ADA COORDINATOR, AT 728-9740, 48 HOURS IN ADVANCE OF THE MEETING.

F.S.S. 286.0105 "If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceedings, and that for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." The City of Leesburg does not provide this verbatim record.



CITY COMMISSION WORKSHOP

DESIGN AND ARCHITECTURAL STANDARDS



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Design and Architectural Standards Workshop

March 29 – City staff and City Commission – 1st workshop

Advertised in Daily Commercial to discuss Design Standards

Present informational slides and 1st draft of proposed standards

Review draft and discussion with City Commission

Revise draft ordinance standards as needed

Present an appropriate ordinance to Planning Commission and City Commission for vote



Issues for future workshops

Sidewalk Cafes –requirements and design - amendment

Outdoor Storage and Outdoor Display – amendment

Feather Flags – revision

Short-Term Rentals – amendment definition

Code Enforcement - general



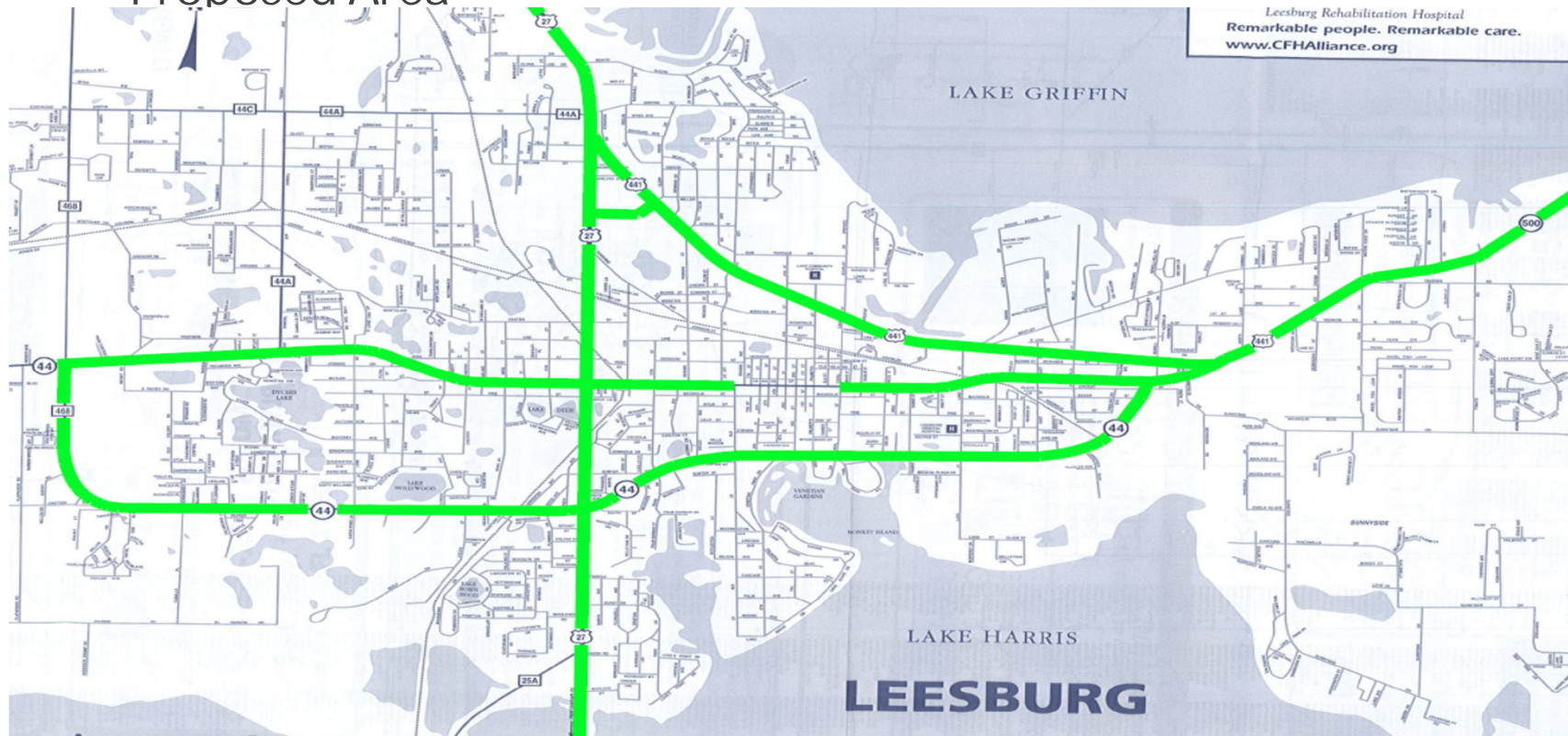
Issues

Design and Architectural Standards for Construction

- Why – Improve City's appearance and encourage high-quality future development
- Where - Major corridors within Leesburg city Limits
- How – City of Leesburg Code of Ordinances
- When - Upon completion of workshop(s) and ordinance review by staff and City Commissioners



Design and Architectural Standards Workshop Proposed Area



Ordinance Highlights

Based on the City of Mt. Dora ordinance

Sections ~~marked out~~ when covered by existing Leesburg code

- Leesburg LDC covers trees, buffers, landscaping, retention, signage, etc., in other areas of the code, thus they are ~~marked out~~ in this draft.

Non-Residential Architectural and Site Design Standards

- Building design, facades, windows, design elements, prohibited materials, lighting, exceptions and interpretations



Staff Concerns

Meeting the needs of the community while maintaining business friendly regulation

Efficiently processing of applications

PUD/SPUD zoning interpretation



ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, ESTABLISHING NEW CRITERIA FOR OUTDOOR STORAGE AND DISPLAY IN COMMERCIAL AND PROFESSIONAL ZONING DISTRICTS; REGULATING USE OF TRAILERS AND OTHER TEMPORARY STORAGE FACILITIES IN COMMERCIAL AND PROFESSIONAL ZONING DISTRICTS; PROVIDING FOR EXEMPTIONS; REPEALING §25-292(23) AND OTHER CONFLICTING ORDINANCES; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Leesburg, Florida, deems current ordinances regulating outdoor storage and display of goods and merchandise in commercial zoning districts to be inadequate; and

WHEREAS, the City Commission finds that unregulated or poorly regulated outdoor storage and display of inventory, merchandise, goods offered for sale, and other items, and long term use of trailers, sheds, tents, and other temporary storage facilities in commercial zoning districts, creates an appearance of blight, detracts from efforts by the City to improve the aesthetics of its commercial corridors, and may foster crimes including theft of items stored outdoors; and

WHEREAS, the City's Main Street Streetscape project from 9th Street to Palmetto Street, and its more recent expansion from 9th Street to 14th Street, constitute major attempts to improve the aesthetics of its business district, and recent changes to landscape ordinances and other land use regulations were implemented in part to improve the appearance of all commercial areas within Leesburg, the effectiveness of which is negated at least in part by outdoor storage and display;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

SECTION I.

§25-292(16) of the Code of Ordinances of the City of Leesburg, Florida, is amended in its entirety to read as set forth below:

(16) *Outdoor Storage and Display Outside Industrial Zoning Districts.*

- a. Definitions: The following terms as used in this Ordinance shall have the meanings shown:
 1. "Outdoor storage" means the storing or maintaining, exterior to any permanent, fully enclosed building or structure of goods, merchandise, inventory, equipment or other tangibles for any purpose other than outdoor sales display as defined in this section. The term outdoor storage shall not include semitrailers being actively used on a regular basis to transport goods or other freight,



temporarily parked and not utilized for storage of goods, merchandise, inventory, equipment or other tangibles.

2. "Outdoor sales display" means the displaying of goods, merchandise or products outdoors such that the items are readily available for sale at retail on the same lot and in conjunction with a permitted or conditional use which is otherwise operated entirely within a permanent fully enclosed building.
 3. "Portable storage facilities" means any trailer, truck, shed (whether or not anchored to the ground), tent or other pole structure, "POD" or similar portable enclosure, or other wheeled or readily movable device, used to store inventory, wares, inventory, equipment, or other tangibles.
- b. Scope of Ordinance: This Ordinance [§25-292(23)] shall apply only in commercially or professionally zoned districts, on parcels visible from, or located within 500 feet of, the rights of way of U.S. Highway 441, U.S. Highway 27, County Road 44 (known as South Street and Dixie Avenue), and Main Street. However, this Ordinance shall not apply to outdoor storage within the parking lot of a shopping center, if such storage (i) is permitted by the lease between the property owner and the business engaging in such storage; (ii) does not reduce the total number of parking spaces below the minimum required for the business location, and (iii) is located no less than 150 feet from the right of way of any road, street or highway.
- c. No outdoor storage or outdoor sales display may be located within fifty (50) feet from the nearest residential district.
- d. The location of outdoor storage areas shall be limited to the side or rear of the primary structure to which the outdoor storage belongs, and a minimum five (5) feet from the principal building. Items located on a porch of a building are considered to be stored outdoors, if the porch is not fully enclosed. At no point should outdoor storage be located in front of any portion of the principal building.
- e. No inflammable or explosive liquids, solids or gases shall be stored in bulk above ground. Tanks or drums of fuel directly connecting with heating devices or appliances located on the same premises as the tanks or drums of fuel are excluded from this provision.
- f. All outdoor storage facilities shall be enclosed by a fence or wall adequate to conceal such facilities and the contents thereof from adjacent property or a public street. Such walls and fences must be placed within the property line, and any such fences or walls must be a minimum of twenty-five (25) feet from the property line bordering a



public street. All outdoor storage areas shall meet required district building setback lines. Outdoor storage facilities not in compliance with this subsection shall have a period not to exceed six (6) months within which to install the required fence or wall.

- g. No materials or wastes shall be disposed of on any premises in such form or manner that they may be transferred off such premises by natural causes or forces.
- h. All materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible by or otherwise be attractive to rodents, insects, or other vermin, shall be stored outdoors only in closed containers.
- i. Portable storage facilities are prohibited, except as otherwise specifically provided in this Ordinance. Portable storage facilities that exist prior to the adoption of this Ordinance shall have a time period not to exceed six (6) months from the effective date of this Ordinance, to remove such facility. Portable storage facilities, temporary offices, and outdoor storage on active construction sites are exempt and shall be removed from the site no later than two (2) weeks after the construction is completed.
- j. Outdoor storage is prohibited on the roofs of structures.
- k. No outdoor storage area shall block or encroach upon required off-street parking, pedestrian access, fire lanes and maneuvering areas of the site.
- l. The outdoor storage area is limited to a maximum five (5) percent of the square footage of the principal structure occupied by the business engaging in outdoor storage.
- m. Outdoor sales display shall meet the following requirements:
 - 1. Outdoor sales display shall not occupy any required parking spaces, landscape area, pedestrian accessibility or fire lane. Items located on a porch of a building are considered to be outside if the porch is not fully enclosed.
 - 2. Outdoor sales display shall not extend into public sidewalk or right-of-way or onto adjacent property, and must not extend more than fifteen (15) feet outside of the principal structure or within fifteen (15) feet of the right of way of adjacent public streets.
 - 3. No outdoor sales display area may exceed ten (10) percent of the square footage of the portion of the principal structure occupied by the merchant utilizing the outdoor sales display, or five hundred (500) square feet, whichever is less.



4. Outdoor sales display shall be displayed in a neat and orderly manner and maintained in a clean, litter-free manner, and shall not impede pedestrian traffic along any sidewalk.
5. Outdoor sales display merchandise shall not be placed, stored, or maintained outside the principal structure, except during normal hours of operation of the business, and in no case between 8:00 p.m. and 8:30 a.m. each day. All merchandise shall be removed from the outdoor sales display area between those hours, and placed either inside the principal structure, or in an outdoor storage area fully compliant with the terms of this Ordinance and other ordinances of the City.
6. All sales of merchandise displayed outdoors shall be consummated indoors, and no cash register or package-wrapping counter shall be located out of doors.
7. No outdoor sales display area shall be utilized until the merchant has filed a site plan with the Community Development Department, depicting the location and dimensions of the outdoor sales display, and indicating compliance with this Ordinance and other ordinances of the City, and the Community Development Department has approved such site plan in writing. The Community Development Department may impose a site plan approval fee for such service. After approval of a site plan, all outdoor sales display activities must comply fully with the site plan. Any deviation from the site plan, or other violation of this Ordinance, shall be grounds for revocation of site plan approval and the merchant must then cease all outdoor sales display activities. Violations shall be determined by the Special Magistrate through the Code Enforcement process.
- 8.
- n. Outdoor sales display is prohibited on the roofs of structures.
- o. The following outdoor storage and outdoor sales display activities shall be exempt from this Ordinance:
 1. Portable storage facilities, temporary offices, and outdoor storage on active construction sites are exempt and shall be removed from the site no later than two (2) weeks after the construction is completed.
 2. Storage and display of automobiles, trucks and other motor vehicles, farm equipment, tractors, boats, and other vehicles and implements offered for sale to the public by a licensed dealer of such vehicles, provided that no such storage and display may take place between the adjacent road or street right of way, and any landscaping along such right of way as required by the City of Leesburg Code.



3. Use of portable storage facilities, for outdoor storage only (not for outdoor sales display), for storage of seasonal or holiday inventory (i.e. Christmas, Valentine's Day etc.), provided the portable storage facilities otherwise comply with this Ordinance, are brought onto the property no sooner than 20 days prior to the holiday, and are removed no later than 7 days after the holiday, and provided further this usage is limited to no more than three times within any one calendar year.
 4. Areas designated for the outdoor sale, display or storage of monument head stones, plant material including live plants, fruits and vegetables and related plant materials. This exemption includes rock, mulch, pavers, building and landscape materials including bird baths, fountains etc., and lumberyards or new building materials.
 5. Truck and trailer rentals which have met applicable requirements as set forth in the City of Leesburg Code, and all other applicable laws, rules, and regulations.
 6. Retail operations that occur under a permitted permanent roofed canopy structure attached to the principal structure on the lot per an approved site plan, which meets all other requirements of the City of Leesburg Code and applicable State law.
- p. Any outdoor storage or outdoor sales display in areas regulated by this Ordinance, in existence on the date this Ordinance is approved by the City Commission, must be brought into compliance with this Ordinance, or terminated, no later than 120 days from the date of City Commission approval.

SECTION II.

§25-292(23) of the City of Leesburg Code of Ordinances, together with any other ordinances or parts of ordinances which are in conflict with this Ordinance, are hereby repealed, to the extent necessary to alleviate the conflict, but shall continue in effect insofar as they are not in conflict herewith, unless repeal of the conflicting portion destroys the overall intent and effect of any of the conflicting ordinance, in which case those ordinances so affected shall be hereby repealed in their entirety.

SECTION III.

If any portion of this Ordinance is declared invalid or unenforceable, and to the extent that it is possible to do so without destroying the overall intent and effect of this Ordinance, the portion deemed invalid or unenforceable shall be severed herefrom and the remainder of the ordinance shall continue in full force and effect as if it were enacted without including the portion found to be invalid or unenforceable.



SECTION IV.

This Ordinance shall become effective upon its passage and adoption according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the _____ day of _____, 2016.

THE CITY OF LEESBURG, FLORIDA

BY: _____
JAY HURLEY, Mayor

Attest: _____
ANDI PURVIS, City Clerk

